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*Committee on Foreign Affairs*

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**2011/0461(COD)**

22.11.2012

## **OPINION**

of the Committee on Foreign Affairs

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a decision of the European Parliament and of the Council  
on a Union Civil Protection Mechanism  
(COM(2011)0934 – C7-0519/2011– 2011/0461(COD))

Rapporteur: Ioan Mircea Pașcu

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## SHORT JUSTIFICATION

The Commission has presented to the European Parliament and the Council a proposal for a Decision on a Union Civil Protection Mechanism, aimed at strengthening EU capacities to prevent and respond to disasters, both within and outside the EU territory.

The Committee on Foreign Affairs broadly supports the general approach of the proposal which consists in transforming the current ad-hoc system into pre-planned disaster management, while respecting the leading role and primary responsibility of Member States in civil protection.

Furthermore, the Committee on Foreign Affairs welcomes the increased focus on prevention and preparedness and highlights the importance of shared risk assessment and contingency planning. It stresses the need to ensure consistency with the forthcoming implementation of the Solidarity Clause.

Finally, the Committee points out to the need to reach adequate balance between the imperative of rapid response on the one hand, and coherence of EU external relations on the other.

## AMENDMENTS

The Committee on Foreign Affairs calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

### **Amendment 1** **Proposal for a decision** **Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) The Mechanism should play a major role in the implementation of Article 222 of the Treaty on the Functioning of the European Union, by making available its resources and capabilities as necessary.***

### **Amendment 2** **Proposal for a decision** **Recital 9**

*Text proposed by the Commission*

(9) By contributing to the further development of detection and early warning systems, the Union should assist Member States in minimising the lead time to respond to disasters and to alert Union citizens. These systems should take into account and build upon existing and future information sources and systems.

*Amendment*

(9) By contributing to the further development **and better integration** of detection and early warning systems, the Union should assist Member States in minimising the lead time to respond to disasters and to alert Union citizens. These systems should take into account and build upon existing and future information sources and systems.

**Amendment 3**

**Proposal for a decision**

**Recital 10**

*Text proposed by the Commission*

(10) The Mechanism should include a general policy framework aimed at continuously improving the level of preparedness of civil protection systems, **personnel** and citizens within the Union. This includes training programmes and a training network, at Union and Member State level, on disaster prevention, preparedness, and response as called for in the Council Conclusions of 14 November 2008 on European disaster management training arrangements.

*Amendment*

(10) The Mechanism should include a general policy framework aimed at continuously improving the level of preparedness of civil protection systems and citizens within the Union. This includes training programmes and a training network, at **both the** Union and Member State level, on disaster prevention, preparedness, and response as called for in the Council Conclusions of 14 November 2008 on European disaster management training arrangements.

**Amendment 4**

**Proposal for a decision**

**Recital 19**

*Text proposed by the Commission*

(19) Where the use of military capacities is considered in support of civil protection operations to be appropriate, cooperation with the military should follow the modalities, procedures and criteria established by the Council or its competent bodies for making available to the

*Amendment*

(19) Where the use of military capacities is considered in support of civil protection operations to be appropriate, cooperation with the military should follow the modalities, procedures and criteria established by the Council or its competent bodies for making available to the

Mechanism military capacities relevant to the protection of civilian populations

Mechanism military capacities relevant to the protection of civilian populations, *and in particular be in line with the Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief (Oslo Guidelines) and the Guidelines on the Use of Military and Civil Defence Assets to support United Nations humanitarian activities in complex emergencies (MCDA Guidelines). Civilian and military chains of command should be kept separate.*

## Amendment 5

### Proposal for a decision

#### Recital 26

##### *Text proposed by the Commission*

(26) As regards disasters caused by terrorist action, nuclear or radiological accidents, the Mechanism should cover only the preparedness and response actions within the remit of civil protection.

##### *Amendment*

(26) As regards disasters caused by terrorist action, nuclear or radiological accidents, the Mechanism should cover only the preparedness and response actions within the remit of civil protection. *Initiatives in this regard shall be coordinated with and complement the actions already taken for the implementation of the Council conclusions on strengthening chemical, biological, radiological and nuclear security in the European Union - an EU CBRN Action Plan<sup>1</sup>.*

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<sup>1</sup> Council conclusions of 12 November 2009, 15505/1/09 REV.

## Amendment 6

### Proposal for a decision

#### Article 1 – paragraph 3

##### *Text proposed by the Commission*

(3) The Union intervention enhances prevention, preparedness and response

##### *Amendment*

(3) The Union intervention enhances prevention, preparedness and response

capacity of Member States to face major disasters minimising human *and* material loss. The objective of this Decision cannot be sufficiently achieved by Member States operating alone and can be better achieved at Union level by reason of the scale or effects of the proposed action.

capacity of Member States to face major disasters minimising *especially* human *but also* material loss. The objective of this Decision cannot be sufficiently achieved by Member States operating alone and can be better achieved at Union level by reason of the scale or effects of the proposed action, *in full compliance with the principles of subsidiarity and proportionality*.

## **Amendment 7**

### **Proposal for a decision**

#### **Article 1 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. The Mechanism shall contribute to the implementation of Article 222 of the Treaty on the Functioning of the European Union.***

## **Amendment 8**

### **Proposal for a decision**

#### **Article 3 – paragraph 2 – subparagraph 1 – introductory wording**

*Text proposed by the Commission*

*Amendment*

Progress towards the achievement of the specific objectives set out in paragraph 1 shall be assessed through indicators that cover inter alia:

Progress towards the achievement of the specific objectives set out in paragraph 1 shall be assessed through indicators, ***examining where appropriate whether these indicators are suitable for measuring the achievement of the specialist objectives; the indicators shall*** cover inter alia:

## **Amendment 9**

### **Proposal for a decision**

#### **Article 3 – paragraph 2 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) progress in implementing the disaster prevention framework measured by the number of Member States with **disaster** management plans as set out in Article 4;

*Amendment*

(a) progress in implementing the disaster prevention framework measured by the number of Member States with **risk** management plans as set out in Article 4;

**Amendment 10**

**Proposal for a decision  
Article 6 – paragraph 1**

*Text proposed by the Commission*

(1) In order to ensure an effective cooperation within the Mechanism, Member States shall communicate to the Commission their risk management plans.

*Amendment*

(1) In order to ensure an effective cooperation within the Mechanism, Member States shall communicate to the Commission their risk management plans.  
***The Commission and Member States shall make sure classified information and data are duly protected.***

**Amendment 11**

**Proposal for a decision  
Article 7 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) establish and manage the Emergency Response Centre (ERC), ensuring 24/7 operational capacity, and serving the Member States and the Commission for the purposes of the Mechanism;

*Amendment*

(a) establish and manage the Emergency Response Centre (ERC) ***in coordination with the existing national and regional bodies***, ensuring 24/7 operational capacity, and serving the Member States and the Commission for the purposes of the Mechanism;

**Amendment 12**

**Proposal for a decision  
Article 7 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) manage a Common Emergency

*Amendment*

(b) manage a Common Emergency

Communication and Information System (CECIS) to enable communication and sharing of information between the ERC and contact points of the Member States;

Communication and Information System (CECIS) to enable communication and sharing of information between the ERC and contact points of the Member States ***and promote its linkage to existing Commission and Council crisis coordination platforms;***

#### **Amendment 13**

##### **Proposal for a decision**

##### **Article 7 – paragraph 1 – point c**

###### *Text proposed by the Commission*

(c) contribute to the development of detection and early warning and alert systems for disasters in order to enable a rapid response, and to promote ***their inter-linkage and*** their linkage to the ERC and the CECIS. Those systems shall take into account and build upon existing and future information, monitoring and detection sources and systems;

###### *Amendment*

(c) contribute to the development ***and better integration*** of detection and early warning and alert systems for disasters in order to enable a rapid response, and to promote their linkage to the ERC and the CECIS. Those systems shall take into account and build upon existing and future information, monitoring and detection sources and systems;

#### **Amendment 14**

##### **Proposal for a decision**

##### **Article 7 – paragraph 1 – point d – indent 2**

###### *Text proposed by the Commission*

– facilitating, when necessary, the coordination of emergency assistance operations on site and liaising, ***when necessary and appropriate***, with the competent authorities of the state requesting assistance,

###### *Amendment*

– facilitating, when necessary, the coordination of emergency assistance operations on site and liaising with the competent authorities of the state requesting assistance,

#### **Amendment 15**

##### **Proposal for a decision**

##### **Article 11 – paragraph 3**



*Text proposed by the Commission*

3. The Commission shall define quality requirements for the capacities *to* be committed to the European Emergency Response Capacity. Member States shall be responsible for ensuring their quality.

*Amendment*

3. The Commission shall, ***in agreement with the Member States***, define quality requirements for the capacities ***that may*** be committed to the European Emergency Response Capacity. Member States shall be responsible for ensuring their quality.

**Amendment 16**

**Proposal for a decision  
Article 11 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall establish and manage a process for certification and registration of capacities that Member States make available to the European Emergency Response Capacity.

*Amendment*

4. The Commission shall establish and manage a process for certification and registration of capacities that Member States ***can*** make available to the European Emergency Response Capacity.

**Amendment 17**

**Proposal for a decision  
Article 11 – paragraph 6**

*Text proposed by the Commission*

6. The capacities registered in the European Emergency Response Capacity shall be available for emergency response operations under the Mechanism at the request of the Commission through the ERC. Member States shall inform the Commission as soon as possible of any ***compelling*** reasons that prevent them from making these capacities available in a specific emergency.

*Amendment*

6. The capacities registered in the European Emergency Response Capacity shall ***in principle*** be available for emergency response operations under the Mechanism at the request of the Commission through the ERC. Member States shall ***retain the ultimate decision on their deployment and shall*** inform the Commission as soon as possible of any ***domestic emergencies or other serious*** reasons that prevent them from making these capacities available in a specific emergency.

**Amendment 18**

**Proposal for a decision**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

1. The Commission shall monitor progress towards the capacity goals and, in cooperation with Member States, identify gaps in the European Emergency Response Capacity.

*Amendment*

1. ***Fully respecting the voluntary nature of the European Emergency Response Capacity as defined in Article 11, the*** Commission shall monitor progress towards the capacity goals and, in cooperation with Member States, identify gaps in the European Emergency Response Capacity.

**Amendment 19**

**Proposal for a decision**  
**Article 12 – paragraph 2 – introductory wording**

*Text proposed by the Commission*

2. The Commission shall support Member States in addressing the capacity gaps and in filling these gaps ***in*** the most appropriate and cost-effective way, including by:

*Amendment*

2. The Commission shall support ***interested*** Member States in addressing the capacity gaps and in filling these gaps, ***where it is accepted by the Member States to be*** the most appropriate and cost-effective way, including by:

**Amendment 20**

**Proposal for a decision**  
**Article 12 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States and the Commission shall jointly identify the assessment criteria for the appropriateness and cost effectiveness of filling such capacity gaps.***

**Amendment 21**

**Proposal for a decision**  
**Article 12 – paragraph 3**

*Text proposed by the Commission*

(3) Any capacities developed according to this Article shall be controlled and managed by interested Member States. ***The Commission shall develop templates for*** agreements between the Commission and Member States involved. The Member States managing the capacities shall be responsible for their registration in accordance with national procedures.

*Amendment*

(3) Any capacities developed according to this Article shall be controlled and managed by interested Member States ***on the basis of*** agreements between the Commission and Member States involved. The Member States managing the capacities shall be responsible for their registration in accordance with national procedures.

**Amendment 22**

**Proposal for a decision  
Article 12 – paragraph 4**

*Text proposed by the Commission*

4. These capacities shall be a part of the European Emergency Response Capacity. They shall be available for emergency response operations under the Mechanism at the request of the Commission through the ERC. When not in use under the Mechanism, these capacities shall be available for the national purposes of Member States managing them.

*Amendment*

4. These capacities shall be a part of the ***voluntary pool of the*** European Emergency Response Capacity. They shall be available for emergency response operations under the Mechanism at the request of the Commission through the ERC. When not in use under the Mechanism, these capacities shall be available for the national purposes of Member States managing them.

**Amendment 23**

**Proposal for a decision  
Article 12 – paragraph 5**

*Text proposed by the Commission*

(5) Member States and the Commission shall ensure appropriate visibility for the capacities developed in accordance with this Article.

*Amendment*

(5) Member States and the Commission shall ensure appropriate visibility for the capacities developed in accordance with this Article, ***both at Union and at Member State level.***

## Amendment 24

### Proposal for a decision

#### Article 12 – paragraph 6

*Text proposed by the Commission*

6. The Commission shall inform the European Parliament and the Council every two years on the progress made on the achievement of capacity goals and remaining gaps in the European Emergency Response Capacity.

*Amendment*

6. The Commission shall inform the European Parliament and the Council every two years on the progress made on the achievement of capacity goals and remaining gaps in the ***voluntary pool of the*** European Emergency Response Capacity.

## Amendment 25

### Proposal for a decision

#### Article 12 – paragraph 7 – point a

*Text proposed by the Commission*

(a) modalities on supporting Member States in developing response capacities that are otherwise not, or not in sufficient quantities, available from the European Emergency Response Capacity;

*Amendment*

(a) modalities on supporting Member States in developing response capacities that are otherwise not, or not in sufficient quantities, available from the ***voluntary pool of the*** European Emergency Response Capacity;

## Amendment 26

### Proposal for a decision

#### Article 12 – paragraph 7 – point b

*Text proposed by the Commission*

***(b) modalities on developing response capacities at Union level to serve as a common buffer against shared risks;***

*Amendment*

***deleted***

## Amendment 27

### Proposal for a decision

#### Article 12 – paragraph 7 – point c

*Text proposed by the Commission*

(c) modalities on the management and maintenance of the capacities mentioned under points (a) and (b);

*Amendment*

(c) modalities on the management and maintenance of the capacities **registered in the voluntary pool of the European Emergency Response Capacity and** mentioned under points (a) and (b);

**Amendment 28**

**Proposal for a decision**

**Article 13 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) developing guidance on Union and international civil protection training, including training on prevention, preparedness and response;

*Amendment*

(b) developing guidance on Union and international civil protection training, **taking advantage of Member States' past experiences**, including training on prevention, preparedness and response;

**Amendment 29**

**Proposal for a decision**

**Article 16 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) liaising with the affected third country on technical details, such as the precise needs for assistance, the acceptance of offers and the practical arrangements for the local reception and distribution of assistance;

*Amendment*

(c) liaising with the affected third country **and the Member States** on technical details, such as the precise needs for assistance, the acceptance of offers and the practical arrangements for the local reception and distribution of assistance;

**Amendment 30**

**Proposal for a decision**

**Article 16 – paragraph 3**

*Text proposed by the Commission*

3. Without prejudice to the Commission's role, as defined in paragraph 2, and respecting the imperative for an immediate

*Amendment*

3. Without prejudice to the Commission's role, as defined in paragraph 2, and respecting the imperative for an immediate

operational response through the Mechanism, upon activation the Commission shall inform the European External Action Service to allow for consistency between the civil protection operation and the overall Union relations with the affected country.

operational response through the Mechanism, upon activation the Commission shall inform the European External Action Service to allow for consistency between the civil protection operation and the overall Union relations with the affected country. ***The Commission and the European External Action Service shall regularly exchange information with the aim of concerting their respective activities to ensure consistency of the Union's external action, in accordance with Article 21 of the Treaty on European Union. They shall report to the European Parliament at regular intervals on this issue.***

**Amendment 31**  
**Proposal for a decision**  
**Article 16 – paragraph 11**

*Text proposed by the Commission*

11. Synergies shall be sought with other instruments of the Union, in particular, with actions financed under Regulation (EC) No 1257/96.

*Amendment*

11. Synergies shall be sought with other instruments of the Union, in particular, with actions financed under Regulation (EC) No 1257/96 ***and with actions developed under the Common Security and Defence Policy.***

## PROCEDURE

<b>Title</b>	Union Civil Protection Mechanism
<b>References</b>	COM(2011)0934 – C7-0519/2011 – 2011/0461(COD)
<b>Committee responsible</b> Date announced in plenary	ENVI 19.1.2012
<b>Opinion by</b> Date announced in plenary	AFET 19.1.2012
<b>Rapporteur</b> Date appointed	Ioan Mircea Paşcu 18.6.2012
<b>Discussed in committee</b>	9.10.2012                      12.11.2012
<b>Date adopted</b>	22.11.2012
<b>Result of final vote</b>	+:                      47 –:                      3 0:                      4
<b>Members present for the final vote</b>	Pino Arlacchi, Elmar Brok, Jerzy Buzek, Tarja Cronberg, Arnaud Danjean, Mário David, Michael Gahler, Marietta Giannakou, Ana Gomes, Andrzej Grzyb, Anna Ibrisagic, Liisa Jaakonsaari, Anneli Jäätteenmäki, Ioannis Kasoulides, Maria Eleni Koppa, Andrey Kovatchev, Paweł Robert Kowal, Eduard Kukan, Alexander Graf Lambsdorff, Sabine Lösing, Ulrike Lunacek, Mario Mauro, Willy Meyer, Francisco José Millán Mon, Alexander Mirsky, María Muñiz De Urquiza, Norica Nicolai, Pier Antonio Panzeri, Ioan Mircea Paşcu, Alojz Peterle, Bernd Posselt, Hans-Gert Pöttering, Cristian Dan Preda, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Nikolaos Salavrakos, Jacek Saryusz-Wolski, György Schöpflin, Werner Schulz, Adrian Severin, Marek Siwiec, Charles Tannock, Geoffrey Van Orden, Boris Zala, Karim Zéríbi
<b>Substitute(s) present for the final vote</b>	Nikolaos Chountis, Marije Cornelissen, Véronique De Keyser, Kinga Gál, Elisabeth Jeggle, Barbara Lochbihler, Emilio Menéndez del Valle, Marietje Schaake, Ivo Vajgl